

C. Statement of Interview

Applicants thank Examiner Hodge for his time and attention during the telephonic examiner interview held with Applicants' representative, Victoria Molenda, on March 13, 2008. During the interview, Applicants' representative inquired as to whether the Examiner would enter the above amendment to claim 8 in a response to the outstanding final Office Action. Examiner Hodge stated that since the amendment would raise new issues that would require further consideration and/or search, an RCE would be required in order to enter the claim amendment.

D. Remarks

Independent claim 8 is the sole claim pending in the subject application. Claim 8 has been amended to clarify the detector in the present invention. Support for the amendment can be found, *inter alia*, in the specification on page 8, paragraph [0025]. Applicants submit that no new matter is added. Entry of the amendment and reconsideration of this claim is respectfully requested.

Claim 8 stands rejected under 35 U.S.C. §103(a) as allegedly being obvious from U.S. Patent No. 6,713,201 B2, issued to Bullock et al. ("Bullock") in view of U.S. Patent Application Publication No. 2003/0096144 A1, in the name of Dunstan ("Dunstan"). This rejection is respectfully traversed.

Prior to addressing the merits of the rejection, Applicants would like to briefly discuss the features of the present invention. That invention, in pertinent part, relates to a fuel supply system for fuel cells, which comprises a fuel cell that generates power using fuel and

oxygen and discharges water produced as a result of power generation, and a fuel supply apparatus for supplying fuel to the fuel cell. The fuel cell comprises a fuel cell supply unit into which fuel is supplied and a water discharging unit for discharging water, wherein access to the fuel supply unit and the water discharging unit is provided at the same face of the fuel cell. The fuel supply apparatus includes a mounting unit for mounting the fuel cell, a fuel supply unit for supplying fuel to the mounted fuel cell, and a water-suctioning unit for suctioning water produced inside the fuel cell. The fuel cell supply apparatus also includes a detecting switch for detecting the mounting of the fuel cell.

The Examiner alleged that claim 8 encompassed the fuel supply apparatus disclosed in Bullock because there was no specific structure defined in the claims for the detector. Applicants respectfully disagree. Claim 8 recites that the fuel supply apparatus comprises a fuel supply unit for supplying fuel, a water-suctioning unit, and a detecting switch, while the fuel cell comprises a fuel supply unit into which fuel is supplied and a water discharging unit. Bullock, on the other hand, discloses a removable fuel cell cartridge comprising a fuel reservoir and a by-product reservoir and a fuel stack housing with a by-product outlet connector and a fuel inlet connector. *See* col. 4, ll 6-34. The fuel stack housing, not the fuel cell cartridge, is connected to the system control, which is relied on by the Examiner to meet the “detector” limitation. *See* Figure 3. The system control and display in Bullock are clearly not a “detecting switch”, as recited in claim 8.

Bullock’s alleged “detection system” does not detect the mounting of the fuel cell as claimed in the present invention. Bullock discloses a device that can be powered up, or

reset, with a fuel cartridge present. However, Bullock's system could not distinguish the absence of the fuel cell from the mere lack of power, which can include, *inter alia*, the presence of an empty fuel cell. Thus, it does not function as a switch to detect the mounting of a fuel cell as presently claimed.

Dunstan does not provide the deficiencies of Bullock. The Examiner cited Dunstan for a teaching of an evaporator. However, even assumed, *arguendo*, that Dunstan contains the alleged teaching, neither Bullock nor Dunstan discloses or suggests a fuel cell supply apparatus comprising a detecting switch for detecting the mounting of the fuel cell as recited in claim 8. Accordingly, it is respectfully submitted that Bullock, whether considered alone or in combination with Dunstan, fails to render the presently claimed invention unpatentable.

Wherefore, withdrawal of the outstanding rejection and passage of the subject application to issue are respectfully requested.

Appln. No.: 10/664,873

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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